

Committee Room,
Austin, Texas, February 3, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 268, A bill to be entitled
"An Act to create an additional criminal
district court for the county of Harris;
and to provide for district, jurisdiction
and organization of, and procedure in
said court; to provide for the transfer-
ring and docketing of cases and to pro-
vide for the trial and disposition of
causes during the absence of either
judge; to provide for the appointment
and election, qualification, jurisdiction,
duties, powers and compensation of a
judge thereof; to provide for a seal, and
to provide for a sheriff, clerk and at-
torney thereof, and to provide for the
appointment and pay of special deputy
clerks, and an assistant district attor-
ney; to fix the time for holding terms
thereof, and to provide for jury service
and empanelling of grand juries; to
limit and conform thereto jurisdiction
of the Criminal District Court of Harris
county,"

Have carefully compared same and
find it correctly engrossed.

TAYLOR, Chairman.

NINETEENTH DAY.

(Continued.)

(Tuesday, February 8, 1927.)

The House met at 9 o'clock a. m. and
was called to order by Speaker Bobbitt.

REPORT OF THE COMMITTEE TO INVESTIGATE CERTAIN BRIB- ERY CHARGES.

The House resumed consideration of
pending business, same being the report
of the committee to investigate certain
bribery charges.

(Pending the reading of the testi-
mony, Mr. DeBerry and Mr. Jacks occu-
pied the chair temporarily.)

(Speaker in the chair.)

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate re-

quests the House to return Senate con-
current resolution No. 14 for further
consideration.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed the following resolution:

S. C. R. No. 14, Recalling Senate bill
No. 17 from the Governor for further
consideration.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Barron, the House,
at 12 o'clock m., took recess to 2 o'clock
p. m. today.

AFTERNOON SESSION.

The House met at 2:00 o'clock p. m.
and was called to order by the Speaker.

REPORT OF THE COMMITTEE TO INVESTIGATE BRIBERY CHARGES.

The House resumed consideration of
pending business, same being the report
of the committee to investigate certain
bribery charges.

Mr. Young moved a call of the House
for the purpose of maintaining a quorum
pending consideration of the report, and
the call was duly seconded.

The Speaker then directed the Door-
keeper to close the main entrance to the
Hall and instructed the Sergeant-at-
Arms to lock all other doors leading
from the Hall and stated that no mem-
ber would be permitted to leave the
Hall without written permission from
the Speaker.

The roll of the House was taken, and
the following members answered to their
names:

Mr. Speaker.	Bass.
Acker.	Bateman.
Alexander.	Beck.
Anderson.	Bird.
Avis.	Black.
Barnett.	Boggs.
Barron.	Boon.

Branch.	Olsen.
Brown.	Parish of Runnels.
Conway.	Parrish of Travis.
Cornwell.	Pavlica.
Cox.	Pearce.
Daniel.	Petsch.
Davis.	Poage.
DeBerry.	Pool.
Denman.	Pope.
Dielmann.	Porter.
Dunlap.	Purl.
Durham.	Ramsey.
Duvall.	Rawlins.
Enderby.	Renfro
Eickenroht.	of Angelina.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Runge.
Forbes.	Sanders.
Fuchs.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Graves.	Sheats.
Gray.	Shirley.
Hagaman.	Simmons.
Hall.	Sinks.
Harding.	Smith of El Paso.
Harman.	Smith of Nueces.
Hefley.	Smith of Smith.
High.	Smyth.
Holder.	Snelgrove.
Holland.	Stell.
Hornaday.	Stevenson.
Jacks.	Storey.
Jones.	Stout.
Justice.	Sutton.
Kayton.	Swain.
Kennedy.	Taylor.
Kenyon.	Teer.
Kincaid.	Turner.
King of Hopkins.	Van Zandt.
King of	Veatch.
Throckmorton.	Waddell.
Kinnear.	Walker.
Kirkland.	Wallace
Land.	of Freestone.
Loftin.	Wallace of Panola.
Long.	Wallace of Smith.
Loy.	Ware.
McCombs.	Wassell.
McGill.	Webb.
McKean.	Wells.
Merritt.	Whitaker.
Minor.	Williams
Morse.	of Travis.
Moursund.	Williamson.
Murphy.	Woodall.
Nabors.	Woodruff.
Nicholson.	Young.

Absent.

Cummings.	Kemble.
Dale.	Lipscomb.
Foster.	Masterson.
Gates.	Montgomery.

Moore.	Renfro of Mills.
Reagan.	

Absent—Excused.

Albritton.	Smith of Atascosa.
Bonham.	Tillotson.
Johnson.	Williams
Kirby.	of Sabine.
Powell.	

On motion of Mr. Young, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

Mr. Sinks offered the following resolution:

Whereas, On the 7th day of February, A. D. 1927, the special investigating committee authorized by resolution adopted by the House of Representatives to investigate the alleged bribery charges pending against Representatives F. A. Dale and H. H. Moore in the courts of this State was received by the House and filed among its records; and

Whereas, In said report the committee found that said bribery charges against Representatives F. A. Dale and H. H. Moore are justifiable, and that their conduct has been such as to render them unfit to sit as members of the House of Representatives, and said committee did recommend that said Dale and Moore be expelled by this House; therefore, be it

Resolved by the House of Representatives, That Representative F. A. Dale be expelled from the House of Representatives of the Fortieth Legislature of Texas, and his seat declared vacant.

The resolution was read second time.

Mr. Holland moved the previous question on the resolution, and the motion was not seconded.

Mr. Satterwhite moved the previous question on the resolution, and the motion was not seconded.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—133.

Mr. Speaker.	Boon.
Acker.	Branch.
Alexander.	Brown.
Anderson.	Conway.
Avis.	Cornwell.
Barnett.	Cox.
Barron.	Cummings.
Bass.	Daniel.
Bateman.	Davis.
Beck.	DeBerry.
Black.	Denman.
Boggs.	Dielmann.

Dunlap.	Pearce.
Durham.	Petsch.
Duvall.	Poage.
Enderby.	Pool.
Eickenroht.	Pope.
Farrar.	Porter.
Faulk.	Purl.
Finlay.	Ramsey.
Fly.	Rawlins.
Forbes.	Renfro
Foster.	of Angelina.
Fuchs.	Renfro of Mills.
Gibson.	Rogers of Hays.
Gilbert.	Rogers of Shelby.
Graves.	Rowell.
Gray.	Runge.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harding.	Shearer.
Harman.	Sheats.
Hefley.	Simmons.
High.	Sinks.
Holder.	Smith of Atascosa.
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smith of Smith.
Johnson.	Smyth.
Jones.	Snelgrove.
Justice.	Stell.
Kayton.	Stevenson.
Kemble.	Storey.
Kennedy.	Stout.
Kenyon.	Sutton.
Kincaid.	Swain.
King of	Taylor.
Throckmorton.	Teer.
King of Hopkins.	Turner.
Kinnear.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
Lipscomb.	Walker.
Long.	Wallace
Loy.	of Freestone.
Masterson.	Wallace of Panola.
McCombs.	Wallace of Smith.
McGill.	Ware.
McKean.	Wassell.
Merritt.	Webb.
Minor.	Wells.
Morse.	Whitaker.
Moursund.	Williams
Murphy.	of Travis.
Nabors.	Williamson.
Nicholson.	Woodall.
Olsen.	Woodruff.
Parish of Runnels.	Young.
Parrish of Travis.	

Nays—4.

Loftin.	Sanders.
Pavlica.	Shirley.

Present—Not Voting.

Bird.	Reagan.
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Absent.

Dale.	Moore.
Gates.	Tillotson.

Absent—Excused.

Albritton.	Powell.
Bonham.	Williams
Kirby.	of Sabine.
Montgomery.	

Mr. Sinks offered the following resolution:

Whereas, On the 7th day of February, A. D. 1927, the special investigating committee authorized by resolution adopted by the House of Representatives to investigate the alleged bribery charges pending against Representatives F. A. Dale and H. H. Moore in the courts of this State was received by the House and filed among its records; and

Whereas, In said report the committee found that said bribery charges against Representatives F. A. Dale and H. H. Moore are justifiable, and that their conduct has been such as to render them unfit to sit as members of the House of Representatives, and said committee did recommend that said Dale and Moore be expelled by this House; therefore, be it

Resolved by the House of Representatives, That Representative H. H. Moore be expelled from the House of Representatives of the Fortieth Legislature of Texas, and his seat declared vacant.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—119.

Mr. Speaker.	Denman.
Acker.	Dielmann.
Alexander.	Dunlap.
Anderson.	Durham.
Avis.	Duvall.
Barnett.	Enderby.
Barron.	Faulk.
Bass.	Fly.
Bateman.	Forbes.
Black.	Foster.
Boggs.	Fuchs.
Boon.	Gilbert.
Branch.	Graves.
Brown.	Hagaman.
Conway.	Hall.
Cornwell.	Harding.
Cox.	Harman.
Cummings.	Hefley.
Daniel.	High.
Davis.	Holder.
DeBerry.	Holland.

Jacks.	Rogers of Shelby.
Jones.	Rowell.
Justice.	Runge.
Kayton.	Satterwhite.
Kemble.	Shaver.
Kennedy.	Shearer.
Kenyon.	Sheats.
Kincaid.	Simmons.
King of Hopkins.	Sinks.
King of Throckmorton.	Smith of El Paso.
Kirkland.	Smith of Nueces.
Lipscomb.	Smith of Smith.
Long.	Smyth.
Loy.	Snelgrove.
Masterson.	Stell.
McCombs.	Stevenson.
McGill.	Storey.
McKean.	Stout.
Merritt.	Sutton.
Minor.	Swain.
Morse.	Taylor.
Moursund.	Teer.
Murphy.	Tillotson.
Nabors.	Turner.
Nicholson.	Van Zandt.
Olsen.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Walker.
Petsch.	Wallace
Poage.	of Freestone.
Pool.	Wallace of Panola.
Pope.	Wassell.
Porter.	Webb.
Purl.	Wells.
Ramsey.	Whitaker.
Rawlins.	Williams
Renfro	of Travis.
of Angelina.	Williamson.
Renfro of Mills.	Woodruff.
Rogers of Hays.	Young.

Nays—14.

Farrar.	Pavlica.
Finlay.	Pearce.
Gibson.	Sanders.
Hornaday.	Shirley.
Johnson.	Smith of Atascosa.
Land.	Ware.
Loftin.	Woodall.

Present—Not Voting.

Bird.	Reagan.
Eickenroht.	Wallace of Smith.

Absent.

Beck.	Gray.
Dale.	Kinnear.
Gates.	Moore.

Absent—Excused.

Albritton.	Powell.
Bonham.	Williams
Kirby.	of Sabine.
Montgomery.	

Mr. Young moved to reconsider the vote by which the resolutions were adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—108.

Mr. Speaker.	Morse.
Acker.	Moursund.
Alexander.	Murphy.
Anderson.	Nabors.
Avis.	Nicholson.
Barnett.	Olsen.
Barron.	Parish of Runnels.
Bass.	Parrish of Travis.
Beck.	Petsch.
Bird.	Poage.
Boon.	Pool.
Branch.	Pope.
Brown.	Porter.
Conway.	Purl.
Cornwell.	Ramsey.
Cox.	Rawlins.
Cummings.	Renfro
Daniel.	of Angelina.
Davis.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Denman.	Rogers of Shelby.
Durham.	Rowell.
Duvall.	Satterwhite.
Enderby.	Shaver.
Eickenroht.	Shearer.
Faulk.	Sheats.
Fly.	Shirley.
Foster.	Simmons.
Fuchs.	Sinks.
Gilbert.	Smith of El Paso.
Graves.	Smith of Nueces.
Gray.	Smith of Smith.
Hagaman.	Snelgrove.
Hall.	Stell.
Harding.	Storey.
Harman.	Stout.
High.	Sutton.
Holder.	Swain.
Holland.	Taylor.
Johnson.	Teer.
Jones.	Turner.
Justice.	Van Zandt.
Kemble.	Veatch.
Kennedy.	Waddell.
Kenyon.	Wallace
Kincaid.	of Freestone.
King of Throckmorton.	Wallace of Panola.
Land.	Wallace of Smith.
Lipscomb.	Wassell.
Loy.	Webb.
McCombs.	Wells.
McGill.	Whitaker.
McKean.	Williams
Merritt.	of Travis.
Minor.	Williamson.
	Woodruff.

Nays—21.

Dielmann.	Masterson.
Dunlap.	Pavlica.
Finlay.	Pearce.
Gibson.	Runge.
Hefley.	Sanders.
Hornaday.	Smith of Atascosa.
Jacks.	Smyth.
King of Hopkins.	Walker.
Kirkland.	Ware.
Loftin.	Woodall.
Long.	

Absent.

Bateman.	Kayton.
Black.	Kinnear.
Boggs.	Moore.
Dale.	Reagan.
Farrar.	Stevenson.
Forbes.	Young.
Gates.	

Absent—Excused.

Albritton.	Powell.
Bonham.	Tillotson.
Kirby.	Williams
Montgomery:	of Sabine.

Instructions to Sergeant-at-Arms.

The Speaker then delivered the following instructions to the Sergeant-at-Arms of the House:

Office of Speaker,

Austin, Texas, February 8, 1927.

Mr. Joe W. White, Sergeant-at-Arms,
House of Representatives, Austin,
Texas.

My Dear Sir: In accordance with the resolution adopted by the House of Representatives on this, the 8th day of February, A. D. 1927, expelling F. A. Dale, I now request that you notify the said F. A. Dale of the action of this body. Also, that you notify the Governor of this State, the Hon. Dan Moody, that on this day the House of Representatives has expelled the said F. A. Dale, and declared his seat vacant.

Respectfully submitted,
ROBERT LEE BOBBITT,
Speaker of the House.

Office of the Speaker,

Austin, Texas, February 8, 1927.

Mr. Joe W. White, Sergeant-at-Arms,
House of Representatives, Austin,
Texas.

My Dear Sir: In accordance with the resolution adopted by the House of Representatives on this, the 8th day of February, 1927, expelling H. H. Moore, I now request that you notify the said

H. H. Moore of the action of this body. Also, that you notify the Governor of this State, the Hon. Dan Moody, that on this day the House of Representatives has expelled the said H. H. Moore, and declared his seat vacant.

Respectfully submitted,
ROBERT LEE BOBBITT,
Speaker of the House.

Reasons for Votes.

I vote "nay" on the committee report. I feel in my heart that I cannot vote to expel Mr. Dale and Mr. Moore. I still have doubt in my heart as to their guilt.

PAVLICA.

I vote against the expulsion of Moore for the reason that I do not believe Chamberlin under oath. I believe him to be a liar, a grafter and a crook. His is the main testimony against Moore. The only punishment we are voting on is expulsion. I believe Moore should be punished some way for even eating lunch with such an animal as I believe Chamberlin to be, but he should not be expelled.

FINLAY.

Having been away during the investigation of the above cause, and listening attentively as possible to the reading of the evidence since my return, the full purport I could not follow on account of the confusion and noise in the House. I cannot cast an intelligent vote, and not wishing to harm or injure any man, I therefore vote "present—not voting."

BIRD.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 141, A bill to be entitled "An Act to amend Article 2889a, Revised Civil Statutes, 1925, pertaining to the issuance of teachers' certificates."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RELATING TO ACTIVITIES OF CERTAIN LOBBYIST.

Mr. Sheats offered the following resolution:

Whereas, The House of Representatives desires to maintain its honor and integrity, as well as the interest and welfare of the people of Texas; and

Whereas, A full, fair and complete investigation has been made by the House of Representatives relating to charges against Representatives F. A. Dale and H. H. Moore; and

Whereas, The testimony discloses that the conduct of W. W. Chamberlin is a reflection on the House of Representatives and upon the State of Texas; therefore, be it

Resolved by the House of Representatives of the State of Texas:

Section 1. That a committee of nine members of the House of Representatives be appointed by the Speaker, whose duty it shall be to conduct a prompt and full investigation of the conduct of W. W. Chamberlin, and report its finding to the House of Representatives, together with its recommendations.

Sec. 2. That the committee shall formulate its own rules of procedure and evidence, and provide its own hours of meeting and adjournment.

Sec. 3. The committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance.

Sec. 4. That witnesses attending the sessions of said committee, under process, shall be allowed the same mileage and per diem as is allowed in the trial of criminal cases in district court.

Sec. 5. That said committee shall have power and authority to employ and compensate all necessary investigators, attorneys, stenographers, and all other necessary employes, and it shall be the duty of said committee to make and keep a record of its findings.

Sec. 6. That all necessary expenses incident to conduct such investigation shall be paid out of the contingent expense fund of the Fortieth Legislature, upon the sworn accounts of all persons entitled to such pay, when approved by the chairman of said committee.

The resolution was read second time.

Mr. Satterwhite moved that the resolution be referred to the Committee on State Affairs.

Mr. Sheats moved to table the motion to refer the resolution, and the motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on State Affairs, yeas and nays were demanded.

The motion to refer prevailed by the following vote:

Yeas—94.

Alexander.
Anderson.
Avis.
Barnett.
Barron.
Bass.
Bateman.
Beck.
Bird.
Boon.
Brown.
Conway.
Cornwell.
Daniel.
Davis.
DeBerry.
Denman.
Dielmann.
Durham.
Farrar.
Finlay.
Fly.
Foster.
Fuchs.
Gilbert.
Gray.
Hagaman.
Hall.
High.
Holder.
Holland.
Johnson.
Jones.
Justice.
Kennedy.
Kenyon.
Kincaid.
King of Hopkins.
King of
Throckmorton.
Kinnear.
McCombs.
McGill.
McKean.
Merritt.
Minor.
Morse.
Moursund.
Murphy.

Nabors.
Nicholson.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Petsch.
Poage.
Pool.
Pope.
Porter.
Purl.
Ramsey.
Rawlins.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Hays.
Rogers of Shelby.
Rowell.
Runge.
Sanders.
Satterwhite.
Shaver.
Shearer.
Simmons.
Sinks.
Smith of Smith.
Smyth.
Snelgrove.
Stevenson.
Stout.
Swain.
Taylor.
Teer.
Turner.
Van Zandt.
Veatch.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Wallace of Smith.
Wassell.
Webb.
Wells.
Whitaker.
Young.

Nays—30.

Black.
Boggs.
Cox.
Cummings.
Enderby.
Eickenroht.
Faulk.
Gibson.
Graves.
Harding.
Harman.
Hefley.
Hornaday.
Jacks.

Land.
Lipscomb.
Long.
Loy.
Masterson.
Olsen.
Pearce.
Reagan.
Sheats.
Shirley.
Stell.
Storey.
Ware.

Williams of Travis. Woodall.
Woodruff.

Present—Not Voting.

Smith of Atascosa.

Absent.

Acker. Kirkland.
Dale. Loftin.
Dunlap. Moore.
Duvall. Smith of El Paso.
Forbes. Smith of Nueces.
Gates. Sutton.
Kayton. Williamson.
Kemble.

Absent—Excused.

Albritton. Powell.
Bonham. Tillotson.
Branch. Williams
Kirby. of Sabine.
Montgomery.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read first time and referred to the appropriate committees as follows:

Senate bill No. 149, to the Committee on Appropriations.

Senate bill No. 78, to the Judiciary Committee.

Senate bill No. 156, to the Committee on Agriculture.

Senate bill No. 160, to the Committee on State Affairs.

Senate bill No. 171, to the Committee on Education.

Senate bill No. 223, to the Committee on Judicial Districts.

Senate bill No. 224, to the Committee on School Districts.

Senate bill No. 141, to the Committee on Education.

ADJOURNMENT.

On motion of Mr. Barron, the House, at 4:50 o'clock p. m., adjourned until 11 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Insurance: House bill No. 370.
Banks and Banking: House bill No. 396.

Criminal Jurisprudence: House bills Nos. 405, 431, 81, 64.

The following standing committee has today filed adverse report on bill as follows:

Municipal and Private Corporations: House bill No. 380.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 240, A bill to be entitled "An Act repealing House bill No. 337, passed by the First Called Session of the Thirty-ninth Legislature of Texas, creating the Lockney Independent School District in Floyd county, Texas, including therein the Lockney Independent School District as it then existed and the following common school districts in said county as they and each of them then existed: Irick No. 1, Pleasant Valley No. 2, Munsey No. 3, Aiken No. 7, Roseland No. 17, Prairie Chapel No. 25 and Ramsey No. 27; providing therein for a board of directors thereof; vesting the said independent district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; fixing the term of office of such trustees; restoring to the several districts as consolidated in such bill the original status; and providing this act shall become effective on the 1st day of May, 1927,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

TWENTIETH DAY.

(Wednesday, February 9, 1927.)

The House met at 11 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker. Barnett.
Alexander. Barron.
Anderson. Bass.
Avis. Bateman.